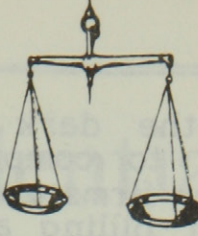


Quid Novi



VOL. IV NO. 22

McGILL UNIVERSITY FACULTY OF LAW
FACULTE DE DROIT UNIVERSITE MCGILL

March 21, 1984
21 mars, 1984

LSA Council GENERAL ASSEMBLY

by Demetrios Xistris

LSA Council dealt with numerous motions and reports during a lengthy meeting last week.

President Steve Fogarty commenced by asking LSA council members to announce in the classes that exam numbers have been changed pursuant to the new Faculty Council motion. All students should be reminded to go to SAO to get their new number.

Changes to Quebec Bar

Fogarty described a potential change in the Quebec Bar course. Rather than the course being a regurgitation of law school classes and the Civil Code, the Barreau's Executive Committee has considered changing the examination method in order to emphasize a more practical approach. It was noted that this is not a fait accompli, and changes would not take effect in 1984-85. Todd Sloan moved that the incoming executive organize a committee to research the matter over the summer. Input from students and faculty would be forwarded to the Barreau. This motion was passed unanimously.

We've got a Job Placement Officer!

Fogarty then announced that as of the Fall of 1984 the law school will have a placement officer. Although the officer will not solely

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by Sidney Fisher

Last Wednesday's General Assembly was attended by 25 people; as quorum was not reached, it was more of an information session. Steven Fogarty announced that the Law Faculty would be expanding into the building across Peel Street. It is planned to locate student, professor and administrative offices there.

Ian Fraser then explained the details of the DEVE grade. Under this system, points are awarded on the basis of the students' distance from the class average. This would equalize disparities between different sections of the same course. For example, if in one section the average is C and you receive a C+ and in another section the average is B and someone in that section receives a B, you will be better off with your C+ because it is above the average while the other person's B is only average. If the DEVE grade is adopted, it is hoped the end result will be more representative of the students' efforts to prospective employers.

The next item on the agenda dealt with the sports facilities. Two years ago there was a referendum by McGill students in which they agreed to pay \$7.50 per term towards new facilities. The students were to raise \$4 million and the university was to match it. [In-

flation has now augmented the cost to a total of \$11 million]. It appears that the university is dragging its feet on the matter, preferring now to make only cosmetic changes. There is a June 1 deadline for a formal commitment and if one is not made by that date, the money will revert to the Students' Society.

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The New Streaming Rules

STREAMING

by Pearl Eliadis

The difficulties with our previous streaming policies have been issues of concern to students for a number of years. Students were routinely bumped from courses and in many instances, realized too late that they could not take the courses they wanted. Associated problems arose with exam schedules when students took courses that were intended for certain years, but taken in others. Perhaps the worst example of these difficulties arose last term when many upper year students were subjected to exam schedules that can only be described as hellish.

In the late seventies, when Professor Foster was Associate Dean, it was recognized that something had

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LSA Council

Cont'd from p. 1

deal with placement, it will be in the context of the admissions process alumni relations. In effect, this will provide many important services for students. Fogarty then pointed out that LSA Committees such as the Career's Committee (who have done an excellent job of setting up Career's Day for March 23), and job bank projects (that will provide essential information to the Placement Officer) will be related to the Placement Officer in a non-functional sense.

Senate Report

Tim Baikie reported on Senate with four new developments that will be dealt with in the upcoming meetings. The proposed Code on Sexual Harrassment will be debated. Baikie described the Code as "extremely broad, covering staff, faculty and students alike". However, Baikie felt that procedural safeguards built into the Committee are insufficient.

Baikie further advised Council that the Senate is concerned about the commitment of the Board of Governor's to the creation of the new athletic complex. The LSA passed a motion which Baikie will carry back to Senate, reflecting the concern of McGill Law Students over the project's fate. Baikie informed Council that the Patterson Report -- the investigation of the Devoe-Hobbin affair -- would be tabled at the next meeting. Finally, the Charter of Student Rights was completed and will be presented at Senate for approval.

Computers at the Faculty?

Next on the agenda was the motion to create an LSA Committee on computers. The mover, Véronique Marleau, explained that our faculty

x is in the dark ages with
x respect to computerization.
x Most law firms are computerized for billing and correspondence, and the Palais de Justice is totally automated. McGill law students are apparently at a disadvantage in technological skills when they reach the practising world. Council unanimously endorsed the Committee which would report back by early October on the matter of computer technology at McGill.

Law Journal Referendum

Marc Barbeau then moved that the LSA endorse the Law Journal Referendum planned for March 29th. Barbeau recounted the history of government grants on which the Journal has had to rely. Attached to these grants, he explained, and especially the Quebec grant, are subtle pressures to reformat the Journal from a student publication to a professional/academic board overseeing the editorial process. The Journal has resisted these suggestions, but one day these suggestions may become prerequisites for the grants. Daniel Gogek, the Journal's editor, recounted the history of the student fees, explaining that the fee originally was set at the regular subscription price. However, since 1979, the student fee has remained at \$11.00, while the regular price has risen to \$24.00.

Gogek said that the Journal's Finance Committee concluded that a fair price for students would be 75% of the regular subscription price. Gogek emphasized that a positive relationship between the Journal and the students provided for a better academic environment at McGill, and that there was much more to be gained by providing the Journal to all students at a discount, rather than only to some students at regular prices. LSA Council endorsed the

referendum Question #1 unanimously but for 1 abstention.

The second question was whether the Council supported the Law Journal's policy of charging students 75% of the regular subscription price. This motion was a little more complex and misunderstood. Mike Shuster summarized the referendum question as "all we're being asked in whether 75% is reasonable. I think so" as he supported the motion. President Fogarty thought it improper that Council endorse a motion that would bind future student bodies. After some debate LSA endorsed the second question 8-6.

Next was a proposal by the International Law Society's President Andy Ketunen to set up a job bank. Fred Hoefert echoed the sentiments of many Council members by saying that he supported the idea but the proposal was a very rough draft. After some discussion it was thought that the proposal be developed a little more fully and then represented to Council.

NOTICE TO FIRST YEAR STUDENTS

There will be a meeting on Thursday, March 29th in the Moot Court Room at 1:00 p.m. at which time I will outline:

1. The Early Course Selection Procedure
2. The National Programme and how to opt into and out of the National Programme
3. Degree Requirements in the Faculty

I will also be available to discuss any other matter relating to course selection for the next Academic Year.

R.L. Simmonds
Associate Dean (Academic)

L.S.A. Presidential Candidates

Richard Janda

One of the most important roles for the next president of the L.S.A. will be to consolidate and encourage the positive changes that this year's executive has implemented. Richard Janda has already played a significant role in this faculty through his extensive involvement in a number of organizations and committees.

As one of the founding members of both Forum National and of Quid Novi (in its present form), Janda has also been involved in the Board of Student Advisors, and was one of the student members of the Dean Selection Committee.

One of the most important issues, says Janda, is the need to ameliorate the traditional "upstairs-downstairs" relationship between faculty and students, an unfortunate quality of our faculty that was observed by the L.S.A.'s report on the Faculty Review. With the

impending expansion of physical facilities, Janda hopes that informal encounters with professors can be encouraged on a regular basis. In addition, Janda hopes to be able to encourage more active student participation in on-going research by faculty members. This could be accomplished in a number of ways, Janda suggested, including faculty presentations of research papers to students in seminar-type settings. Presentations of this sort would help students feel that they are more aware of the academic focal points in the faculty, in addition to encouraging student integration into the research process.

The importance of bilingualism as a quality of McGill graduates has not been emphasized as much as it could be, Janda feels. Solutions could be found through better use of the French tests given to entering students. Test results could be used to coordinate a French program

with the McGill French Department, or with the Université de Montréal, so that students could improve their language skills. In addition, there could be a minimum number of courses that a student must take in French within the faculty.

Janda would also like to see changes to the current method of teaching law, namely the use of the casebooks method. Rather than using the casebook method, Janda suggested, course summaries could be distributed at the beginning of classes, and class time could be used to promote discussion rather than to analyzing case law.

Both the administration and the L.S.A. are currently studying the possibility of bringing in computers, and Janda would like to see a terminal or two in the Faculty. The L.S.A. executive could be instrumental in ensuring that computerization is implemented in a way

Cont'd on p. 7

Candidates for LSA Council

President

- a) Richard Janda
- b) Kevin Ratcliff

Vice-President (Civil Law)

- a) Mitchell Brownstein
- b) Bettina Karpel
- c) Scott Turner

Vice-President (Common Law)

- a) Dan Bilak
- b) Del Daignault

Vice-President (University Affairs)

- a) Ian Bandeen
- b) Andrew Foti
- c) Scott Keating

Secretary

Ian Fraser (elected by acclamation)

Treasurer

- a) Yves Ménard
- b) Peter Pamel

Student Representative on Faculty Council (3 positions)

- a) Francie Ducros
- b) Daniel Gogek
- c) Cheryl Goldsmith
- d) Rob Horwood
- e) Gary Lawrence
- f) Grant McCrea
- g) Brian Mitchell
- h) Gary Nachshen
- i) Todd Sloan
- j) Lori Wietzman

Class President (BCL II)

- a) Holly Cullen
- b) Neil Drabkin
- c) Jacqueline Lacey
- d) Anne Spafford

Class President (BCL III)

- a) Alan Abramowicz
- b) Seti Hamalian

Class President (LLB II)

Rob Smith (elected by acclamation)

Class President (LLB III)

Hartland Paterson (elected by acclamation)

Class President (BCL/LLB IV)

- a) Charles Cooke
- b) Jill Hugessen

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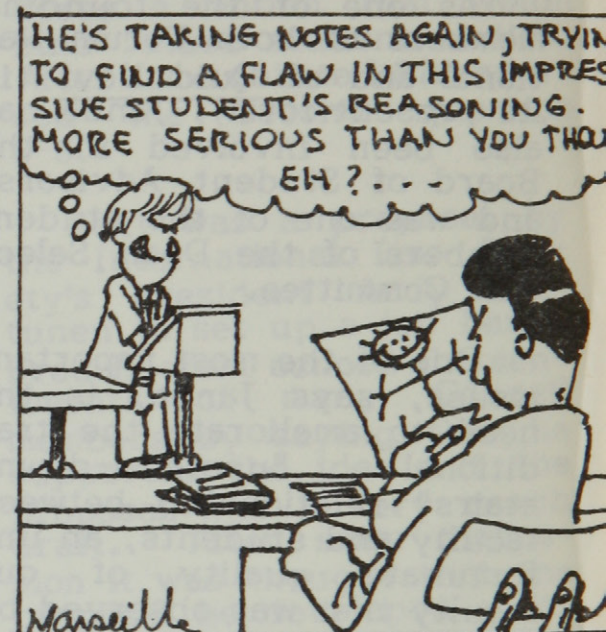
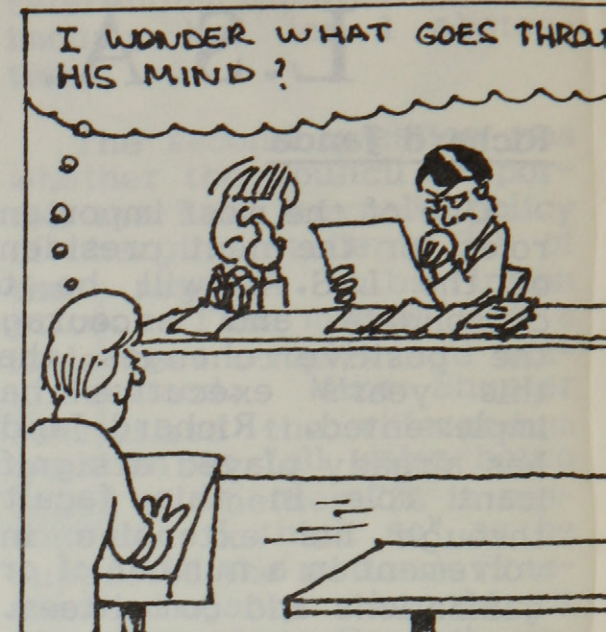
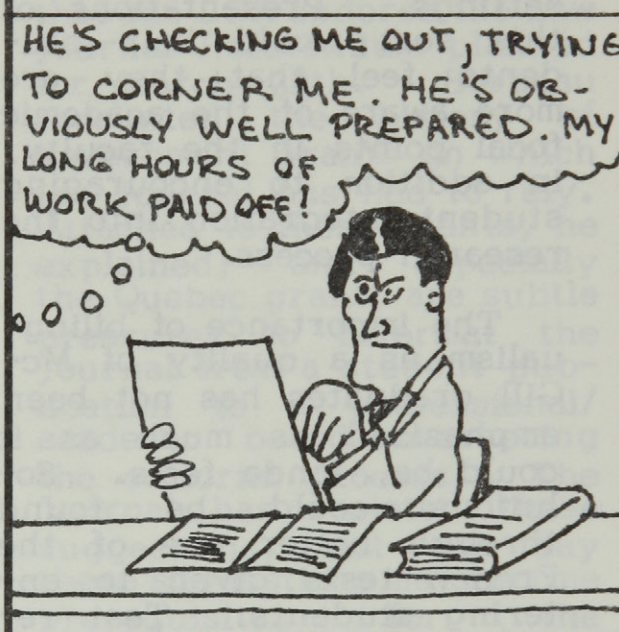
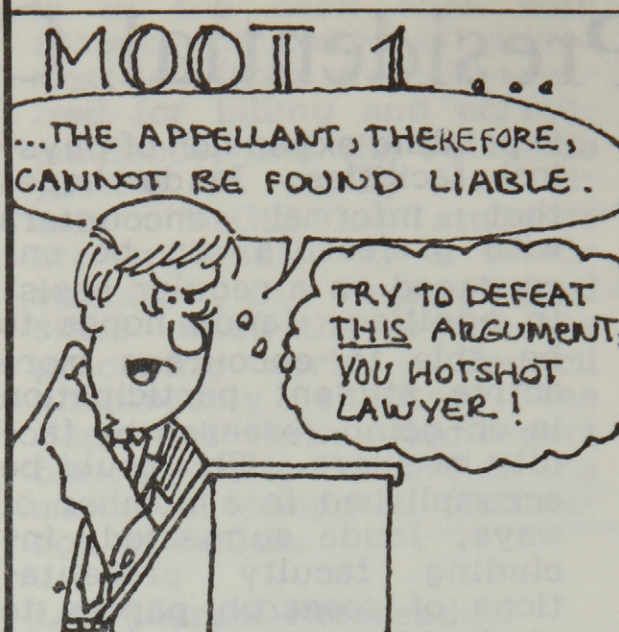
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Law Journal Thanks L.S.A.

On behalf of all members of the McGill Law Journal, I would like to thank L.S.A. Council members for their overwhelming endorsement of our proposed fee increase, and also for devoting valuable meeting time to this issue. While we are also grateful for Council's general support of the Journal's discount policy, we recognize the difficulties the second question may have posed for some members. In light of the lack of clarity which surrounded the second motion, and in the interest of avoiding any possible further confusion, the Board has decided to withdraw the second question from the ballot. Thus, only the first question will be submitted to referendum, and will read as follows:

"Do you support raising the current price of student subscriptions from \$11.00 to \$18.00, the increase to be paid in instalments of \$3.50 per semester, and to become effective in 1984-85?"

I would remind all students that this referendum will take place on Thursday, March 29, and that all undergraduate law students are eligible and encouraged to vote.

Daniel Gogek
Editor-in-Chief
McGill Law Journal

CLASS PHOTO LLB/BCL IV

The pictures will be available this Friday, March 23. Catch me in the basement before or after Real Estate Transactions 12:00-1:30.

Carole Sheppard

INSIGHT TO PROF. KLINCK

Drawing the subject "Alien" in the extemporaneous speaking contest must have appeal to Prof. Dennis Klinck's well-honed sense of irony. As exciting as Montreal can be, and as much as Prof. Klinck is enjoying his work as a faculty member and his life beyond, Montreal is not home for this man. The ancestral seat is in Medicine Hat, Alberta. Looking beyond the amusing reminiscences on his prairie upbringing with which he salts his lectures, one finds the straightforwardness a rural background often produces. Lurking behind a smoke-screen of self-deprecations lies an element of modesty concerning a life-time of academic achievements.



Following a B.A. and an M.A. in English from the University of Alberta, Prof. Klinck found his way to King's College at the University of London (England) to earn a Ph.D. in English. His doctoral thesis considered determinism in Jacobean drama, and the strong treatment of moral guilt it drew from sixteenth and seventeenth century dramatists. Returning to Alberta, Prof. Klinck joined the English Department at the University of Alberta and taught there for a year. He then moved to the University of Saskatchewan for a four-year teaching stint, accumulating a wife and daughter somewhere along the way.

Then something happened.

Perhaps Prof. Klinck wanted a fuller appreciation of the notion of guilt. It may have been that his wife wanted the living-room set re-upholstered. Whatever it was, it drove this man to enter the University of Saskatchewan Law School -- as a student, no less -- from whence he departed in 1982 with a fourth set of initials gracing his patronymic: the vaunted LL.B. Our man from Medicine Hat was then appointed clerk to Bora Laskin, Chief Justice of the Supreme Court. Professor Klinck completed his work for Laskin less than a week before he was due to start teaching here.

Dr. Klinck believes that his year of intensive research (primarily on criminal and Constitutional problems) with Chief Justice Laskin was an adequate preparation for joining the McGill Faculty of Law. If his acceptance here by such an unorthodox route seems unusual, it probably says more about the man than it does about faculty hiring procedures.

While he continues to write short stories, Prof. Klinck considers his family his primary interest -- aside from occasional forays on the squash and racquetball courts.

Hartland Paterson

Craft Overturned in An Aegean Storm

Drowning sailors all:
Many, clinging to eternity
In the palms of their hearts

Hold fast a biblical certainty
Others, thinking still of shore

Unresigned to the water's roar
Spend what is left and swim
Until claimed by the watery depths

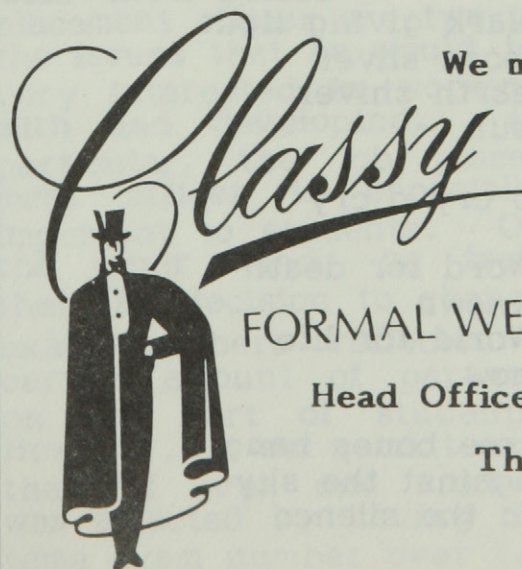
And some, enchanted still
By the Aegean's azure light
Look into their watery grave
And hoping for a minute's grace
It's aqua serenity embrace.
L.W.S.

L. S. A.'S
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PRESIDENT

Cont'd from p. 3

that could be useful and accessible to students.

Finally, one of the most important changes this year from a student perspective has been the introduction of job placement officer. Because this position will not deal solely with job placement, however, Janda feels that it is important to ensure that the other duties inherent in the newly created position do not water down the job placement aspect.

Kevin Ratcliff

A former president of the student union at the University of New Brunswick, Kevin Ratcliff brings plenty of experience in the field of student politics to his candidacy as president of the

L.S.A. With his experience, Ratcliff feels that he can improve faculty-student relations by encouraging students to voice their complaints and interests by effectively funnelling student input to the faculty.

Although Ratcliff has not been extensively involved in many activities at the law school in his two years here, he feels that he has two of the most important elements of a successful campaign: interest and commitment.

It might be premature, Ratcliff said, to base his campaign on a "single issue platform". He feels that many of these issues are not of continuing or long-standing importance to the faculty, and as such, do not merit the importance that is sometimes placed on them during election campaigns.

"The best that can be done," Ratcliff said, "is to try and smooth out the relationships between the students and the faculty". Given his past experience on the U.N.B. executive, Ratcliff pointed out, he is in a good position to know the sorts of things that can and cannot be done by a student union leader.

Ratcliff applauds the positive changes that have been made over this academic year in the faculty. The DEVE proposal and the job placement officer are two of the issues that he would be very interested in working with and developing. In particular, the job placement officer is especially important to students. On the other hand, he feels that the decision to change exam numbers reflected a certain amount of paranoia on the part of students. However, he was quick to add that "if even one student was affected by having the same exam number over two semesters then I suppose it was a good idea".

"I realize that I am sort of a dark horse," Ratcliff said, but he was encouraged to run by the encouragement of a number of his fellow students, and feels that he has spoken to enough people to know what issues interest students.

In addition, Ratcliff's candidacy reflects his desire to ensure that the head of the L.S.A. is elected rather than acclaimed (only two candidates, including Ratcliff, have been nominated for the position of president): "I think that students should have a choice," he said. Ratcliff is interested in finding a way to become more involved in the faculty, and feels that a position on the L.S.A. is the best way to accomplish that goal. Ratcliff plans to fully develop most of his ideas and platforms during election week by talking to other students and developing a better sense of the issues foremost on students' minds.

Assembly

Cont'd from p. 1

A resolution was to be read at a Senate meeting last Wednesday, conveying the concern of the students to the Board of Governors over this lack of progress and expressing that students are aware of a moral commitment on the part of the University to fund the athletics complex.

Not having quorum, no vote could be taken, but it was agreed to extend student support regarding this resolution to Tim Baikie, Senate Representative.

Lenny Abramowicz raised the question of smoking in the library and Fogarty said that during the general elections this month, there will be a questionnaire on this subject.

Anyone with suggestions regarding the New Chancellor Day Hall or the DEVE grade should get in touch with Steven Fogarty.

ATTENTION ALL STUDENTS

NEW EXAMINATION NUMBERS

TERM II 1983-84

Following the Faculty Council decision of 16 February 1984 new examination numbers will be issued to ALL students.

You are advised to pick up your new examination number at the Student Affairs Office A.S.A.P.

Please note that you will be requested to show your NEW number prior to entering the examination room.

Moigners Mourn

The curtain dropped with a thundering impact on the 'Moigner's season Monday last as the Cinderella team of 1983-84 managed to snatch defeat from the jaws of victory. Sparked by Brian "Swiss Day" Ward's pre-game prayer which went something like this:

May both teams play well
--but us better

May the game be clean
--and injuries for the other
side plentiful

May we play well enough
to win

--and if we don't at least
let me be high scorer.

The 'Moigners came charging out of the gate under the steady whip hand of Arthur "Eddie Arcaro" Evrensel and the rookie sensation who was allowed to pal around with the big kids, the indefatigable Graeme "he may be small but he's slow" Fraser. Spurred on by the realization that this was to be the final game for that prairie pistol, the wild-redneck from Alberta Paul "Cowpie" Dunn, the 'Moigners stormed out to an early halftime lead. Thanks to the superb camera work of Martine Williams, the acrobatic drives of Steve "Nureyev" Krieger and Cliff "Baryshnikov" Halickman were captured for posterity on film.

But, alas and alack, too many hours spent in the library had exacted a toll on the team's conditioning and they were reduced to quivering Jell-O by game's end. The heretofore graceful pirouettes and stunning pas-de-deux of the boys became so many shambling miscues and foul-ups. But yet, this is the cross all true scholar/athletes must bear.

At the traditional post-game news conference a shaken but still defiant Rick "Let's go to Nick's

Place" Elliott gave his year end summary of the team:

Graeme Fraser: Has a chance to become the all-time all-around 'Moigner. While he was originally accepted by McGill because of a computer error, his performance on the court earned him a three-year scholarship. However, his performance in the classroom may destine him to a career shooting rivets on the Ford assembly line in Windsor.

Paul Dunn: The darling of the B.C.L. students "Bien-Cuit" Dunn showed that his disasterous rookie year was no fluke, as he continued to show his great consistency -- both on the court and off. Despite a plethora of outside interests and perhaps the busiest social card in the history of McGill Paul "Can I Borrow Some Soap" Dunn never failed to give 65% on the court.

Steve Krieger: "The Usurper" as he was affectionately known will best be remembered for the ruthless way he deposed the democratically elected captain of the team. Essentially a power hungry megalomaniac, "Krieg" was nevertheless the popular father figure of the team, and became renowned for his ability to drink tequila and then fall asleep. Always the perfect host!

Arthur Evrensel: An unknown commodity early in the season, Art developed into an adequate role player under Coach Elliott's tutelage. Without a doubt the best dresser on the team, "GQ" was the only player on the squad who was able to pursue his legal career while playing ball. In fact, there was some question during the season about what really came first -- the 'Moigners or money and power as a lawyer.

Brian Ward: "Big Stick", "Cannon", "Psycho Ward", this rangy kid from the East End had many nicknames, but perhaps the most appropriate was "Just Plain Lousy". Nevertheless "Elbows" developed into the team's enforcer and top rebounder, and for this you really have to hand it to him -- because if you didn't he'd probably drop it.

Cliff Halickman: The veteran center and party hound "The Big H" battled and scrapped his way to an impressive season -- too bad it wasn't on the basketball court.

Todd Van Vliet: A late season addition to the team, "The Flying Dutchman" swaggered his way into contention as a possible starter on next year's team; then again somebody might find the game films and he'll be on the first bus back to Alberta.

As I write these final words one thing stands out in my mind after two seasons of chronicling the ups and downs of the 'Moigners: we may not have been the best basketball team but, boy, did we ever have a freaking good time. See ya in the funny pages, fellas.

Wayne Burrows

Belated congratulations to the Men's Law "A" Hockey team who won the McGill Intramural Faculty Championship with 4-2 and 4-3 wins over Medicine. Congratulations go to: Roger Cutler, Pierre Latraverse, Neil Cobb, Mike Larivière, Jean-Yves David, Bill Tresham, Bruce Randall, Demetri Xistris, Nick Vlahos, Gary Lawrence, Mark Ciarallo, Farrel Miller, Dave Patterson, and Coach Mark Gruscinski.